



**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/761,355
Filing Date	January 16, 2001
First Named Inventor	Randhir P.S. Thakur et al.
Group Art Unit	2812
Examiner Name	Richard A. Booth
Attorney Docket Number	303.275US2

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application entitled HIGH PRESSURE ANNEALS OF INTEGRATED CIRCUIT STRUCTURES.

Submission required under 37 C.F.R. § 1.114

1. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on ☐
2. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on ☐
3. ☒ A Response Under 37 CFR § 1.116 (3 pages) is enclosed.
4. ☐ A new power of attorney (☐ pages) is enclosed.
5. ☐ An Information Disclosure Statement is enclosed (☐ pages)
 - a. ☐ Form(s) 1449
 - b. ☐ Copies of IDS Citations
6. ☒ A check in the amount of \$750.00 is attached to pay the RCE filing fee required under C.F.R. § 1.17(e).
7. ☒ The Commissioner is hereby authorized to credit overpayments or charge any fees set forth in 37 C.F.R. §§ 1.16 through 1.18 to Deposit Account No. 19-0743.
8. ☐ A petition for extension of time in the prior application (☐ pages) is enclosed along with a check in the amount of \$☐ to pay the extension fee.
9. ☐ Other: ☐

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, Box RCE, Washington, D.C. 20231, on this 8th day of January, 2003.

Name Amy Moriarty

Signature Amy Moriarty

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S/N 09/761,355 JAN 13 2003

#9/Response
1-2203
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Randhir P.S. Thakur et al.

Examiner: Richard A. Booth

Serial No.: 09/761,355

Group Art Unit: 2812

Filed: January 16, 2001

Docket: 303.275US2

Title: HIGH PRESSURE ANNEALS OF INTEGRATED CIRCUIT STRUCTURES

RESPONSE UNDER 37 C.F.R. § 1.116

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Washington, D.C. 20231

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REMARKS

Applicant has carefully reviewed and considered the Office Action mailed on October 8, 2002, and the references cited therewith.

No claims are amended, canceled, or added; as a result, claims 42, 43, 59 and 72 - 99 remain pending in this application.

Election/Restrictions

In the Amendment and Response filed July 31, 2002, Applicant added new claims 59, 72 and 75-99. Claims 42, 43, 48 and 59 were previously pending. Claim 48 was cancelled.

Claims 42 and 43 are product claims drawn to an interconnect structure and claim 59 is drawn to an integrated circuit.

In the Office Action of October 8, 2002 it was contended that

“newly submitted claims 59, 72 and 75-99 are directed to an invention that is independent from the invention originally claimed for the following reasons” with respect to claims 79-99, the product represented by the device claims can be made by a materially different process, for instance using a sputtering process instead of CVD and concerning claims 59, 72 and 75-78, these are directed to a patentably distinct embodiment represented by Figure 4.”

The contention in the October 8 Office Action that the new claims are “directed to an invention independent or distinct from the invention originally claimed”, in claims 42 and 43, is not factually correct. The stated basis for the contention, namely that “the product may be made by a different process”, is particularly not understood as to the product claims 73 - 78. The “different process” is explained by stating “a sputtering process instead of CVD.” Comparing